

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHURCH MUTUAL INSURANCE  
CO.,

Plaintiff, : CIVIL ACTION  
                  : No. 12-4691

v.

:

WISSINOMING UNITED  
METHODIST CHURCH,  
Defendant.

**ORDER**

AND NOW, this 17<sup>th</sup> day of February, 2015, upon consideration of the attached communication, it is **ORDERED** that **on or before Friday, April 17, 2015**, Plaintiff's counsel must provide the Court with a status update of the related proceedings in state court.



ANITA B. BRODY, J.

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February 12, 2015

FEB 13 2015

**VIA HAND DELIVERY**

The Honorable Anita B. Brody  
United States District Court, Eastern District of Pennsylvania  
U.S. Courthouse  
601 Market Street, Room 7613  
Philadelphia, PA 19106-1712

**Re: Church Mutual Insurance Co. v. Wissinoming United  
Methodist Church  
United States District Court for the  
Eastern District of Pennsylvania  
No. 12-4691  
Our File No. : 12-149-3408**

Dear Judge Brody:

The instant declaratory judgment action concerns a question of insurance coverage for the claims asserted in the action, Rennie, et al. v. Philadelphia Police Athletic League, et al., Court of Common Pleas, Philadelphia County, No. 3313, September 2012. Your Honor granted the parties' request to stay the instant action until the completion of discovery in the underlying action. Pursuant to your January 28, 2015 order, I am providing a status update of the Rennie action.

The plaintiff filed a Fourth Amended Complaint in Rennie. Various defendants filed Preliminary Objections in May 2013. On July 21, 2014, the court overruled all of the Preliminary Objections. On September 17, 2014, the court denied the defendants' motion to allow for immediate appeal.

Responsive pleadings were filed in Rennie through the end of September, 2014. Some written discovery has been served. Various discovery motions have also been filed. Most recently, on January 29, 2015, the court ordered the plaintiffs to serve

answers to Interrogatories and Requests for Production of Documents within twenty days.

Pursuant to the Rennie court's order, Joseph Bailey was deposed on November 11, 2014. Mr. Bailey is the contractor who allegedly removed asbestos from the Police Athletic League Center located in the basement of the Wissinoming United Methodist Church. We have been advised by defense counsel that no other depositions have been taken.

Since discovery has not been completed in the underlying Rennie action, we respectfully request that the instant action remain in Civil Suspense. Mr. Myers, counsel for defendant, Wissinoming United Methodist Church, joins in this request. We will continue to provide status reports at whatever frequency Your Honor requires.

Thank you.

Respectfully,

**YOST & TRETTEA, LLP**

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Laura Taylor Hall

RWY/PJM/mp

cc: Thomas S. Myers, Jr. Esquire ([tsmlaw@ccis.net](mailto:tsmlaw@ccis.net))